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SUBJECT: RECEIPT OF LETTER FROM UNHCR HIGH COMMISSIONER
ANTONIO GUTERRES ADDRESSED TO SECRETARY OF STATE
CONDOLEEZZA RICE

1. (U) Mission has received the following letter, dated July 18, from United Nations High Commissioner for Refugees Antonio Guterres addressed to Secretary of State Condoleezza Rice.

Begin Text.

Madam,

The situation of the persons who fled due to the recent events in Andijan, Republic of Uzbekistan, and who now are in the Kyrgyz Republic continues to be of great concern to my Office and the international community. Immediate action is required to ensure their protection as the risk of their forcible return to Uzbekistan has dramatically increased, and I should like to call upon your Government to assist by helping to resettle members of this group.

On 13-14 May 2005, credible sources report the indiscriminate use of deadly force against unarmed civilians by Uzbek security authorities in the city of Andijan. Some 500 people directly fled to the Kyrgyz Republic. At present, there are 427 Uzbeks in a camp near the Kyrgyz city of Jalalabad and 29 Uzbek asylum-seekers are detained in Osh. All of these persons have sought recognition of their refugee status by Kyrgyz authorities and my Office.

Since the beginning of this protection emergency, the threat of deportation has been ever-present. Already, four Uzbek asylum-seekers have been returned forcefully to Uzbekistan by the Kyrgyz authorities, to an uncertain fate. It is only after the strong intervention of the United Nations Secretary-General, my Office, the Office of the High

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Commissioner for Human Rights and the international community that further deportations of asylum-seekers have been, until now, stalled.

Authorities of the Kyrgyz Republic Government will soon finish the refugee status determination (RSD) process for all Uzbek asylum seekers in the camp and for those in detention. The RSD process has all been facilitated, supported and closely monitored by UNHCR. Individual RSD decisions may be announced by the Kyrgyz Department of Migration Services in the coming weeks.

At this stage it is the view of my Office that 26 applicants in the detention facility in Osh qualify for refugee status following an individual refugee status determination procedure. The Uzbek applicants in the Sasik camp are also considered by UNHCR as refugees on a prima facie basis, excepting any that may be individually excludable under international refugee law.

Alarming, we have received credible information that the refugees in the camp and in detention are in great danger. They could be deported shortly or subjected to other unofficial removal actions.

Given the danger faced by these refugees, we have decided to evacuate them from the Kyrgyz Republic as soon as possible. We are currently in the process of identifying a country that would be willing to receive this group for a short period on their soil, until more durable resettlement opportunities have been found for them.

Temporary permission to stay for this group hinges on their being rapidly resettled to a third country. I therefore appeal to your Government to assist us in this exceptional, life-saving operation by agreeing to provide resettlement places for all or part of this group.

Please accept, Madam, the assurance of my highest consideration.

(signed)

Antonio Guterres

2. (U) Mission will send the original letter and attached documents via Federal Express.

